

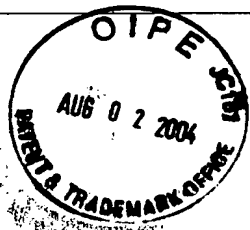
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al. (As Amended)

Application No.: 10/004,860

Filed: December 7, 2001

For: Secreted Protein HEMAE80



Docket No.: PZ070G62AP1D1

Confirmation No.: 8803

Art Unit: 1653

Examiner: R.A. Wax

REQUEST FOR AMENDMENT UNDER
37 C.F.R. §§ 1.312 AND 1.48(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to issuance of the above-captioned application as a United States Patent, Applicants respectfully request consideration and entry of the present amendment (submitted after allowance pursuant to 37 C.F.R. §1.312) to correct inventorship pursuant to 37 C.F.R. § 1.48(b) (Non-provisional application – fewer inventors due to amendment or cancellation of claims). Applicants submit concurrently herewith: (a) Supplemental Application Data Sheet (to reflect the requested amendment of inventorship (see below)); and, (b) Fee Transmittal (in duplicate, with fee required under 37 C.F.R. § 1.48(b)(2)).

The allowed claims in the present application are drawn to HEMAE80 protein embodiments (i.e., SEQ ID NO:310 and HEMAE80 protein encoded by ATCC[®] Deposit Nos. 97975). In this regard, the undersigned has been informed that the inventive entity of the subject matter encompassed by the claims is: Craig A. Rosen, Steven M. Ruben, and Paul A. Moore. Accordingly, Applicants request that the presently pending application be amended to show the above three persons as inventors. Thus, please remove the following names from the list of inventors: Paul Young, John M. Greene, Ann M. Ferrie, Jing-Shan Hu, Henrik S. Olson, Reinhard Ebner, Laurie A. Brewer, Yanggu Shi, Charles Florence, Kimberly Florence, David W. Lafleur, Jian Ni, Ping Fan, Ying-Fei Wei, Carrie L. Fischer, Daniel R. Soppet, Yi Li, Zhizhen Zeng, Hla Kyaw, Ping Feng, Patrick J. Dillon, and Gregory A. Endress.

Applicants respectfully request that the amendments made above be entered and made of record in the file history of the instant application prior to issuance as a United States Patent. Although no fee, in addition to that provided for above, is believed due for submission of this paper, should the Patent Office determine otherwise, please charge such fee to Applicant's Deposit Account No. 08-3425. The Patent Office is also authorized to credit any overpayment to Deposit Account No. 08-3425.

Dated: August 2, 2004

Respectfully submitted,

By 

Kenley K. Hoover, Ph.D.

Registration No.: 40,302

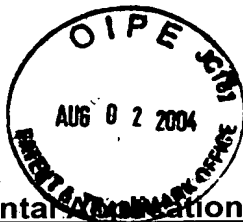
HUMAN GENOME SCIENCES, INC.

14200 Shady Grove Road

Rockville, Maryland 20850

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KKH/PF/mr



Supplemental Application Data Sheet

Application Information

| | |
|---------------------------------|--|
| Application Type:: | Regular |
| Subject Matter:: | Utility |
| Sequence submission?:: | Paper |
| Computer Readable Form (CRF)?:: | No |
| Title:: | Human Secreted Proteins <u>Secreted Protein</u> <u>HEMAE80</u> |
| Attorney Docket Number:: | PZ007G62AP1D1 |
| Small Entity?:: | No |
| Petition included?:: | No |

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Representative Information

Representative Customer Number:: 22195

Domestic Priority Information

| Application:: | Continuity Type:: | Parent Application:: | Parent Filing Date:: |
|------------------|-------------------------|----------------------|----------------------|
| This Application | Division of | 09/205,258 | 12/04/98 |
| 09/205,258 | Continuation-in-part of | PCT/US98/11422 | 06/04/98 |
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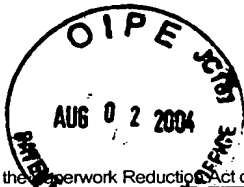
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| PCT/US98/11422 | Non- Provisional of | 60/057,629 | 09/05/97 |
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| PCT/US98/11422 | Non- Provisional of | 60/092,921 | 07/15/98 |
| PCT/US98/11422 | Non- Provisional of | 60/094,657 | 07/30/98 |

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PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1,760.00**Complete if Known**

| | |
|----------------------|------------------------|
| Application Number | 10/004,860-Conf. #8803 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Steven M. Ruben |
| Examiner Name | R. A. Wax |
| Art Unit | 1653 |
| Attorney Docket No. | PZ007G62YP1D1 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

08-3425

Deposit
Account
Name

Human Genome Sciences, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| | | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------|--------------|----------------|----------|
| Total Claims | -20** = | | x | |
| Independent Claims | -3** = | | x | |
| Multiple Dependent | | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | 1,330.00 |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | 130.00 |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | 1504 | | | Publication fee for early, voluntary, or normal publication; 5 advance copies @ \$3.00 ea. | 300.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,760.00**SUBMITTED BY**

(Complete if applicable)

| | | | | | |
|-------------------|------------------|-----------------------------------|----------------|-----------|----------------|
| Name (Print/Type) | Kenley K. Hoover | Registration No. (Attorney/Agent) | 40,302 | Telephone | (301) 610-5771 |
| Signature | | Date | August 2, 2004 | | |